

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address): Bobby Benjy (SBN 211569) Benjy Law Corporation 8889 W. Olympic Blvd., PH Suite Beverly Hills, CA 90211 TELEPHONE NO.: (310) 203-2650 FAX NO. (Optional): E-MAIL ADDRESS (Optional): bob@benjylaw.com ATTORNEY FOR (Name): HDDA, LLC <input checked="" type="checkbox"/> ATTORNEY FOR <input checked="" type="checkbox"/> JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD	FOR COURT USE ONLY
U.S. District Court - Northern District of California STREET ADDRESS: 1301 Clay Street MAILING ADDRESS: CITY AND ZIP CODE: Oakland 94612 BRANCH NAME: Oakland Courthouse (Federal)	
PLAINTIFF: HDDA, LLC DEFENDANT: HITESH PATEL, et al.	
WRIT OF <input checked="" type="checkbox"/> EXECUTION (Money Judgment) <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> Real Property <input type="checkbox"/> SALE	CASE NUMBER: 4:23-mc-80270-DMR

1. To the United States Marshal for the Northern District of California

You are directed to enforce the judgment described below with daily interest and your costs as provided by law.

2. To any registered process server: You are authorized to serve this writ only in accord with CCP 699.080 or CCP 715.040.

3. (Name): HDDA, LLC

is the ☒ judgment creditor ☐ assignee of record whose address is shown on this form above the court's name.

4. Judgment debtor (name and last known address):

HITESH PATEL
458 33rd Avenue
San Francisco, CA 94121

BHAVESH PATEL
458 33rd Avenue
San Francisco, CA 94121

☒ Additional judgment debtors on next page

5. Judgment entered on (date):

8-14-2023 (registered in USDC N.D. Cal. on 10-17-2023)

6. ☐ Judgment renewed on (dates):

7. Notice of sale under this writ

- a. ☒ has not been requested.
 b. ☐ has been requested (see next page).

8. ☒ Joint debtor information on next page.

9. ☐ See next page for information on real or personal property to be delivered under a writ of possession or sold under a writ of sale.

10. ☐ This writ is issued on a sister-state judgment.

11. Total judgment \$ **13,140,493.68**

12. Costs after judgment (per filed order or memo CCP 685.090) \$ **0.00**

13. Subtotal (add 11 and 12) \$ **13,140,493.68**

14. Credits \$ **0.00**

15. Subtotal (subtract 14 from 13) \$ **13,140,493.68**

16. Interest after judgment (per filed affidavit CCP 685.050) (not on GC 6103.5 fees) ... \$ **1,122,722.48**

17. Fee for issuance of writ \$ **0.00**

18. **Total (add 15, 16, and 17)** \$ **14,263,216.20**

19. Levying officer:

(a) Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) of. \$ **1,922.47**

(b) Pay directly to court costs included in 11 and 17 (GC 6103.5, 68511.3; CCP 699.520(i)) \$ **0.00**

20. ☒ The amounts called for in items 11–19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.

[SEAL]



Issued on (date): **3/26/2025**

Clerk, by Sheila Pashu, Deputy

NOTICE TO PERSON SERVED: SEE NEXT PAGE FOR IMPORTANT INFORMATION.

PLAINTIFF: HDDA, LLC	CASE NUMBER:
DEFENDANT: HITESH PATEL, et al.	4:23-mc-80270-DMR

— Items continued from page 1—

21. ☒ **Additional judgment debtor** (name and last known address):

REENA PATEL
458 33rd Avenue
San Francisco, CA 94121

HANSABEN PATEL
458 33rd Avenue
San Francisco, CA 94121

22. ☐ **Notice of sale** has been requested by (name and address):23. ☐ **Joint debtor** was declared bound by the judgment (CCP 989–994)

a. on (date):

a. on (date):

b. name and address of joint debtor:

b. name and address of joint debtor:

c. ☐ additional costs against certain joint debtors (itemize):24. ☐ (Writ of Possession or Writ of Sale) **Judgment** was entered for the following:a. ☐ Possession of real property: The complaint was filed on (date):

(Check (1) or (2)):

(1) ☐ The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46.

The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.

(2) ☐ The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.

(a) \$ _____ was the daily rental value on the date the complaint was filed.

(b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

b. ☐ Possession of personal property.☐ If delivery cannot be had, then for the value (itemize in 9e) specified in the judgment or supplemental order.c. ☐ Sale of personal property.d. ☐ Sale of real property.

e. Description of property:

NOTICE TO PERSON SERVEDWRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (Form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will make a demand upon you for the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

► A Claim of Right to Possession form accompanies this writ (unless the Summons was served in compliance with CCP 415.46).

ATTACHMENT 20 (to EJ-130 (Writ of Execution))

This attachment is intended to accompany the Writ of Execution, form EJ-130, submitted by plaintiff and judgment creditor, HDDA, LLC (“**Creditor**”). The purpose of this attachment is to break out the various judgment debt amounts owed to Creditor by the four defendants and judgment debtors in this case:

- (1) Hitesh Patel;
- (2) Bhavesh Patel;
- (3) Reena Patel; and
- (4) Hansaben Patel (collectively, “**Debtors**”).

Pursuant to the money judgment awarded to Creditor, awarded originally in *HDDA, LLC v. Hitesh Patel, et al.* (USDC N.D. GA, Case No. 1:21-cv-03349-TWT) on August 14, 2023 (“**Judgment**”)¹, the court awarded a grand total of \$13,140,493.68 (“**Outstanding Principal**”) (total *principal* balance of the Judgment) apportioned as follows on a per defendant basis²:

- (a) **Hitesh Patel** was found liable on Counts II (\$1,665,322.25) and V (\$5,490,865.48), resulting in a total *principal* liability of **\$7,156,187.73** as to this defendant (subject to footnote 2);
- (b) **Bhavesh Patel** was found liable on Counts II (\$1,665,322.25), III (\$2,291,079.53), and IV (\$2,599,853.81), resulting in a total *principal* liability of **\$6,556,255.59** as to this defendant (subject to footnote 2);
- (c) **Reena Patel** was found liable on Counts II (\$1,665,322.25), III (\$2,291,079.53), and IV (\$2,599,853.81), resulting in a total *principal* liability of **\$6,556,255.59** as to this defendant (subject to footnote 2); and

¹ This judgment was registered in the Northern District of California on October 17, 2023, in *HDDA, LLC v. Hitesh Patel, et al.* (Case No. 4:23-mc-80270-DMR) (“**CA Case**”). [ECF No. 1.] The Writ sought at this time concerns enforcement of the CA Case version of the GA Judgment.

² Note that defendants: (a) Hitesh Patel, Bhavesh Patel, and Reena Patel are jointly and severally liable on Count II; and (b) defendants Bhavesh Patel and Reena Patel are jointly and severally liable on Counts III and IV.

(d) **Hansaben Patel** was found liable on Count I (\$1,093,372.61), resulting in a total *principal* liability of **\$1,093,372.61** as to this defendant (subject to footnote 2).

Post-Judgment Interest Calculations (All Counts Combined)

To date, no payments (or collections) have been made by (or to the credit of) any of the judgment debtors to reduce the Outstanding Principal.

Pursuant to 28 U.S.C. § 1961, the appropriate rate of post-judgment **interest applicable to the Judgment is 5.34% per annum**. Therefore, interest has accrued at the foregoing rate from and after entry of judgment at the **daily rate of \$1,922.47** since August 14, 2023, and will continue to so accrue until the Judgment is paid in full.

Effective March 20, 2025 (i.e., 584 calendar days since entry of judgment) the total accrued post-judgment interest on the Outstanding Principal is: **\$1,122,722.48** (across all Defendants, *collectively*).

Balances Owed on Each Count

Effective March 30, 2025, the breakdown of balances owed by each defendant are as follows:

	Responsible Judgment Debtor(s)	Interest Through March 20, 2025 (total of 584 calendar days since entry of judgment)	Balance Due (through March 20, 2025)
Count I	Hansaben Patel	Principal: \$1,093,372.61 Interest: \$93,416.64 ³ Going Forward Interest Accrual: \$159.96 per day	\$1,186,789.25
Count II	Hitesh Patel, Bhavesh Patel,	Principal: \$1,665,322.25	\$1,807,608.01

³ Calculated as 5.34% of \$1,093,372.61 (principal) = \$58,386.10/year; divided by 365 days = \$159.96/diem; multiplied by 584 days since entry of judgment = \$93,416.64 (through March 20, 2025).

	<i>and</i> Reena Patel (joint and several)	Interest: \$142,285.76 ⁴ Going Forward Interest Accrual: \$243.64 per day	
Count III	Bahvesh Patel <i>and</i> Reena Patel (joint and several)	Principal: \$2,291,079.53 Interest: \$195,750.96 ⁵ Going Forward Interest Accrual: \$335.19 per day	\$2,486,830.49
Count IV	Bahvesh Patel <i>and</i> Reena Patel (joint and several)	Principal: \$2,599,853.81 Interest: \$222,130.24 ⁶ Going Forward Interest Accrual: \$380.36 per day	\$2,821,984.05
Count V	Hitesh Patel	Principal: \$5,490,865.48 Interest: \$469,138.88 ⁷ Going Forward Interest Accrual: \$803.32 per day	\$5,960,004.36
		GRAND TOTAL OUTSTANDING ON THE JUDGMENT AS OF MARCH 20, 2025:	<u>\$14,263,216.20</u>

⁴ Calculated as 5.34% of \$1,665,322.25 (principal) = \$88,928.21/year; divided by 365 days = \$243.64/diem; multiplied by 584 days since entry of judgment = \$66,513.72 (through May 13, 2024).

⁵ Calculated as 5.34% of \$2,291,079.53 (principal) = \$122,343.65/year; divided by 365 days = \$335.19/diem; multiplied by 584 days since entry of judgment = \$91,506.87 (through May 13, 2024).

⁶ Calculated as 5.34% of \$2,599,853.81 (principal) = \$138,832.19/year; divided by 365 days = \$380.36/diem; multiplied by 584 days since entry of judgment = \$103,838.28 (through May 13, 2024).

⁷ Calculated as 5.34% of \$5,490,865.48 (principal) = \$293,211.80/year; divided by 365 days = \$803.32/diem; multiplied by 584 days since entry of judgment = \$219,306.36 (through May 13, 2024).